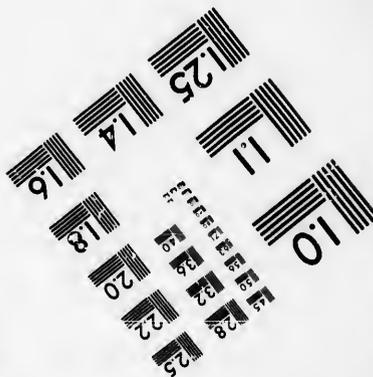
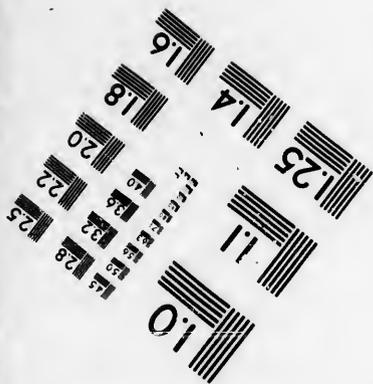
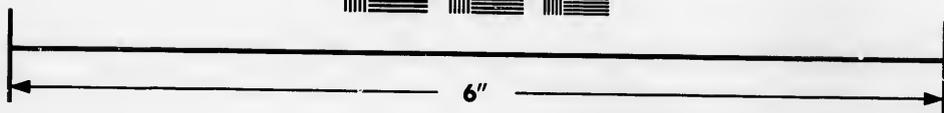
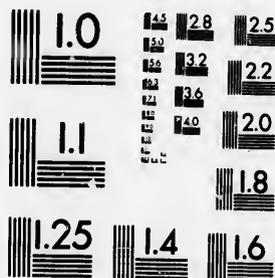


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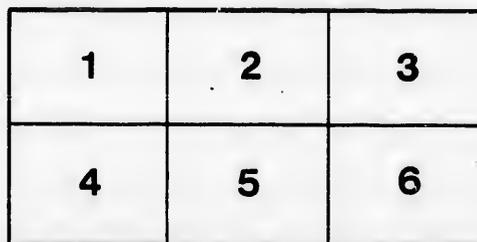
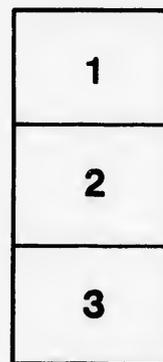
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THE CONSTITUTIONS

OF THE

SYNOD

AND OF THE

INCORPORATED CHURCH SOCIETY

OF THE

DIOCESE OF TORONTO,

1857.

TO WHICH ARE ADDED THE CONSTITUTIONS OF THE
LEARNED SOCIETY OF THE CLERGY OF THE
DIOCESE OF TORONTO; THE BY-LAWS OF THE
AND THE REGULATIONS RELATIVE TO THE

TORONTO:

PRINTED AT THE "ECHO" OFFICE.

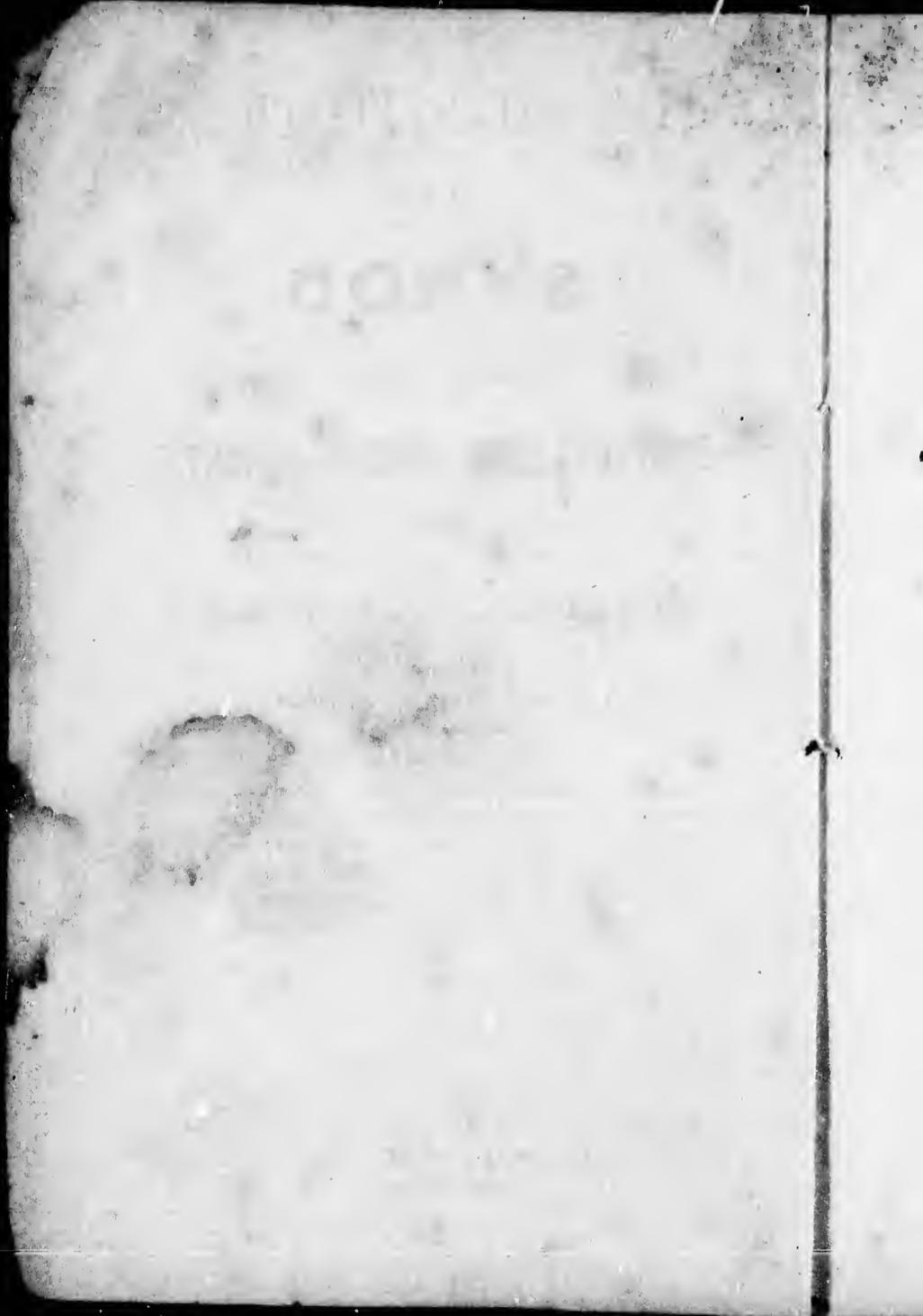
MCCCLVII.

THE CONSTITUTIONS
OF THE
SYNOD
AND OF THE
INCORPORATED CHURCH SOCIETY
OF THE
DIOCESE OF HURON,

ADOPTED SEPTEMBER, 1858.

TO WHICH ARE ADDED THE ACTS OF THE PROVINCIAL PARLIAMENT RELATING TO SYNODICAL ACTION; ALSO, THE CHURCH SOCIETY ACTS; THE CHURCH TEMPORALITIES ACT; AND THE ACT ENABLING RELIGIOUS BODIES TO SELL PROPERTY.

TORONTO:
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MDCCLVIII.



CONSTITUTION
OF THE
**SYNOD OF THE DIOCESE
OF HURON,**

ADOPTED, SEPTEMBER 22ND, 1858.

1. The Synod shall consist of the Bishop of the Diocese, of the clergy duly licensed therein, and not under ecclesiastical censure, and of Lay representatives elected as hereinafter provided.
2. Clergymen who have been members of the Synod, but who have become superannuated, or invalidated with the Bishop's consent, shall retain all their privileges as members of the Synod.
3. The Lay Representatives shall be communicants of at least one year's standing, and shall be elected annually, during Easter week, by each duly organized congregation, from among their own number, at a meeting legally convened: and it shall be the duty of the wardens of each congregation to provide a book in which each member of the congregation, of the full age of twenty-one years, shall subscribe his name as being a member of the United Church of England and Ireland, and as belonging to no other religious denomination; and such, and no others, shall be entitled to vote at the election of lay representatives.
4. The Incumbent, or his assistant, shall preside at the election; and in their absence a chairman elected by a majority of those present.
5. The number of Representatives shall be as

follows: For every congregation *one*; when the registered voters exceed fifty, *two*; and when they exceed one hundred and fifty, *three*; and at each meeting it shall be the duty of the Chairman to have the list read over, and the names of all those who have died, or who have become disqualified shall be erased previous to the election.

6. Each Representative shall receive from the clergyman, or chairman of the meeting, the following certificate:

DIocese OF HURON.

Town, (or Township,) of _____, Congregation
of _____, number of registered voters,
I hereby certify that at a meeting of this congregation,
held on _____ day of _____, 18
Mr. _____ was duly elected a representative
to Synod for the current year.

....., *Chairman.*

And each representative shall continue in office until his successor is appointed.

7. If a vacancy occur by the death, removal, or resignation of any representative, the clergyman shall proceed to hold a new election within one month, due notice being given by him during divine service on some Sunday preceding the meeting.

8. It shall be the duty of the chairman, within six days after every election of representatives to send to the Secretary of the Synod a duplicate of the certificate given by him to the party or parties elected.

9. That the Synod shall meet annually; or oftener at the option of the Bishop.

10.—Each clergyman within the Diocese shall send to the Bishop, through the Secretary, a list

of his present congregations, entitled to send representatives to Synod, distinguishing each by a certain name, and describing its locality, in order that they may be recorded in a book, to be kept for that purpose. Any congregation hereafter established must furnish similar information, and make application to the bishop to be admitted to the privilege of sending representatives to Synod.

11.—When the Bishop is not present he shall appoint his deputy to preside in his place. A quorum of the Synod shall consist of the Bishop, or his deputy, and not less than one third of the whole number of both Clergy and Lay representatives, respectively.

12.—A Clerical and Lay Secretary shall be chosen annually by the Synod from among the members thereof, who shall remain in office until the next annual meeting of the Synod. Their duty shall be to take minutes of the proceedings of the Synod, to preserve its journals and records, to attest the public acts of the body, and faithfully to deliver into the hands of their successors all books and papers relative to the concerns of the Synod, which may be in their possession; and, in case of a vacancy in the See, to summon the Synod for the election of a Bishop.

13.—The expenses incurred by the Synod shall be paid by the Treasurer of the Church Society, out of a special fund to be raised by the Church Society for that purpose, all accounts to be laid before the Synod, and, when passed, to be signed by the President and Secretaries.

14.—No act or resolution shall become law without the concurrence of the Bishop, and a majority of the clergy and laity present, provided that, ordinarily, the votes of the whole Synod shall be taken collectively; but that at the desire of the

Bishop, or at the request of five clergymen, or of five laymen, the votes of each of the above named orders shall be taken separately.

15.—In case of a vacancy in the See, it shall be the duty of the Secretaries of the Synod to give notice of such vacancy to every clergyman and representative within ten days from their knowledge thereof; and at the same time, to summon a meeting of the Synod, to be held within six weeks, for the election of a bishop, giving one month's notice; and at such meeting the senior dignitary present shall take the chair; and, in the case of Secretaries failing to perform this duty, then it shall be the duty of the licensed clergymen within the city of London to summon the Synod for this purpose. In the election of a Bishop the clergy and laity shall vote separately by ballot, a majority of the votes of each order present shall determine the choice.

16.—Every proposition for an alteration of the constitution or rules of the Synod must be sent to the Executive Committee, to be forwarded to the members of the Synod, and no alteration shall take place unless agreed to by majorities of two-thirds of the clergy and laity respectively.

17.—Each congregation through their clergymen and wardens, shall make an annual statistical report to the Bishop, according to a form to be supplied by the Secretary, under the Bishop's direction; which report shall be forwarded to the Bishop within one month after Easter.

II.—ORDER OF PROCEEDINGS.

1. Each Meeting of the Synod shall be preceded by public morning prayer; and on the first day, the Holy Communion shall be administered.

2. The business of every day shall be commenced by special prayer for the Divine guidance and blessing, according to a form authorized by the Bishop.

3. After prayer, the Clerical Secretary shall call over the Roll of the Clergy, as furnished by the Bishop, and mark the names of those in attendance; and the Lay Secretary shall then call over the names of the Representatives, and those present shall answer to their names, and hand to the Secretary the Certificate of their appointment; which Certificate shall then be examined by a Committee of two, in conjunction with the Secretaries.

4. The Secretaries shall then be elected by the Synod, and they shall continue in office until their successors are appointed.

5. The Order of Business on each day shall be as follows:—

(1) Calling the Rolls.

(2) Reading, correcting, and approving the Minutes of the previous meeting.

(3) Appointing Committees.

(4) Presenting, reading, and referring Memorials and petitions.

(5) Presenting Reports of Committees.

(6) Giving notice of motions.

(7) Taking up unfinished business.

(8) Consideration of motions.

6. An address from the Bishop shall be in order at any time.

7. The Synod shall meet each day immediately after divine service, and adjourn at one o'clock, p. m., meet again at three, p. m., and adjourn at seven, p.m., unless otherwise ordered by the Bishop, and, every member attending the Synod shall be in his place, and remain during each session of the

Synod, and shall not leave until the final adjournment, except by permission of the Bishop or Chairman.

III.—RULES FOR THE PRESERVATION OF ORDER.

1. When the Bishop or other person presiding has taken the chair, no member shall continue standing.

2. When any member is about to speak for the information of the Synod, he shall rise and address the Chair.

3. No motion or amendment shall be considered as before the Synod, (excepting such as may be proposed by the Bishop or committees) unless seconded and reduced to writing; and no motion, except in course, shall be considered till the succeeding day of meeting.

4. No member shall speak more than twice on the same question, without the permission of the Chair.

5. When a question is under consideration, no other motion shall be received, unless to adjourn, to lay it on the table, to postpone it to a certain time, to postpone it indefinitely, to commit it, to amend it, or to divide on it; and motions for any of these purposes shall have precedence in the order here named.

6. Motions to adjourn, or to lay on the table shall be decided without debate.

7. When a motion has been read to the Synod by the Secretary, it cannot be withdrawn by the mover without the consent of the Chair.

8. Each member shall have the right to require at any period of the debate, that a question in discussion be read for his information.

9. A member called to order while speaking shall sit down, unless permitted to explain.

10. All questions of order shall be decided by the Chair.

11. When a proposed amendment is under consideration, a motion to amend the same may be made; but no after amendment to such second amendment shall be in order; yet a substitute to the whole matter may be proposed and received, provided it deals directly with the subject in hand.

12. All amendments to any question or amendment shall be decided on before the question or motion on which they rise is proposed for decision.

13. Whilst any question is being put from the Chair, the members shall continue in their seats, and shall not hold any private discourse; and when a motion is so put, no member shall retire until such motion is disposed of.

14. In voting, those who vote in the affirmative shall first rise, and then those who vote in the negative, and if required the Yeas and Nays shall be recorded.

15. A question being once determined, shall not again be drawn into discussion in the same session, without the special sanction of the Chair.

16. When the Synod is about to adjourn, every member shall keep his seat until the Bishop, or other person presiding, has left the Chair.

IV.—RULES REGARDING COMMITTEES.

1. All Committees shall be appointed by the Chair, unless named by the Synod, and the names shall be publicly announced while the Synod is in session.

2. The reports of Committees shall be in writing, signed by their Chairman, and shall be received in course, unless a motion be made for their re-committal.

3. The Chairman of the Committee, or some

member deputed by him, shall explain to the Synod the bearing of any portion of the report, if requested by any member of the Synod.

4. All Reports of Committees recommending any action or expression of opinion, shall be accompanied by a resolution for the action of the Synod thereon.

5. To facilitate the despatch of business, and to insure a more effectual consideration of all matters to be discussed at the meeting of Synod, there shall be an Executive Committee, nominated and presided over by the Bishop, consisting of twelve members, six chosen from among the Clergy, and six from among the Lay Representatives.

6. It shall be the duty of the Executive Committee to prepare in due form all such matters as the Bishop may desire to have brought before the Synod, and also such other matters as may be forwarded to them, through the Secretary, by any member of the Synod previous to the first day of May in each year; and a circular containing a statement of such business to be submitted to the Synod shall be forwarded to each Clergyman and Representative two weeks before the meeting of the Synod; which business shall stand first in the order of the day.

OFFICERS OF THE SYNOD.

CLERICAL.

SECRETARIES:

LAY.

The Rev. J. Walker Marsh, M.A., Lawrence Lawson, Esq.

COMMITTEES APPOINTED SEPTEMBER 1858.

EXECUTIVE.

Rev. C. C. Brough, A.M.,	L. Lawson, Esq.,
" M. Boomer, A.B.,	A. Shade, "
" St. George Caulfield, A.B.	G. Ryland, "
" H. Holland, M.A.,	G. Robson, "
" E. H. Dewar, M.A.,	C. Wilson, "
" J. Walker Marsh, M.A.,	H. Crotty, "

ON MINISTERIAL INCOME.

Rev. A. Townley, J. A. Penton, Esq.,
 " J. C. Usher, J. Pearce, "
 " H. Holland, M. A., Rev. St. George Caulfield, A. B.

ON INDIAN MISSIONS.

Rev. R. Flood, A.M., Rev. A. Elliott, Rev. A. Nelles,
 Rev. A. Jamieson, Rev. A. H. R. Mulholland.

A N A C T

To enable the Members of the United Church of England and Ireland, in Canada, to meet in Synod.

WHEREAS, doubts exist whether the members of the United Church of England and Ireland, in this Province, have the power of regulating the affairs of their Church, in matters relating to discipline, and necessary to order and good government, and it is just that such doubts should be removed, in order that they may be permitted to exercise the same rights of self-government that are enjoyed by other religious communities; therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

I. The Bishops, Clergy, and Laity, members of the United Church of England and Ireland in this Province, may meet in their several Dioceses, which are now, or may be hereafter constituted in this Province, and in such manner and by such proceedings as they shall adopt, frame constitutions and make regulations for enforcing discipline in the Church, for the appointment, deposition, deprivation, or removal of any person bearing office therein, of whatever order or degree, any rights of the Crown to the contrary, notwithstanding, and for the convenient and orderly management of the property, affairs, and interests of the Church in matters relating to, and affecting only, the said Church, and the officers and members thereof, and

not in any manner interfering with the rights, privileges, or interests of other religious communities, or of any person or persons not being a member or members of the said United Church of England and Ireland : provided always that such constitutions and regulations shall apply only to the Diocese or Dioceses adopting the same.

II. The Bishops, Clergy, and Laity, members of the United Church of England and Ireland, in this Province, may meet in general Assembly within this Province, by such Representatives as shall be determined and declared by them in their several Dioceses ; and in such general Assembly frame a constitution and regulations for the general management and good government of the said Church in this Province : provided always, that nothing in this Act contained shall authorise the imposition of any rate or tax upon any person or persons whomsoever, whether belonging to the said Church or not, or the infliction of any punishment, fine, or penalty upon any person, other than his suspension or removal from any office in the said Church, or exclusion from the meetings or proceedings of the Diocesan or General Synods ; and provided also, nothing in the said constitutions or regulations, or any of them, shall be contrary to any law or statute now or hereafter in force in this Province.

I hereby certify the above to be a true copy of the Bill passed by the Legislative Council and Legislative Assembly of Canada, in the Second Session of the Fifth Provincial Parliament, and reserved for the signification of Her Majesty's pleasure thereon by His Excellency the Governor-General, on Thursday, the nineteenth day of June, 1856, and subsequently assented to by

Proclamation in the *Canada Gazette*, bearing date the twenty-eighth day of May, 1857.

J. F. TAYLOR,
Clerk, Legislative Council.

ACT TO ENABLE MEMBERS OF CHURCH OF ENGLAND TO MEET IN SYNOD—EXPLANATORY ACT.

CAP. CXXXIX.

An Act to explain and amend the Act intituled, *An Act to enable the Members of the United Church of England and Ireland in Canada, to meet in Synod.*

[Assented to 16th August, 1858.]

WHEREAS doubts exist whether in the Act passed in the Session held in the nineteenth and twentieth years of her Majesty's Preamble. 19, 20 V. Reign, intituled, *An Act to enable the Members of the United Church of England and Ireland in Canada, to meet in Synod*, sufficient provision is made for the representation of the Laity of the United Church of England and Ireland in the Synods by the said Act authorized to be held, and it is expedient that such doubts should be removed: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. For all the purposes of the aforesaid Act, the Laity shall meet by representation; and until it shall be otherwise determined by the Synod in each Diocese, one or more delegates, (not exceeding three in any case,) may be elected at the annual Easter

called by the meetings in each parish, mission or Clergymen in cure within the Diocese, or in cases each parish where there may be more than one or cure.

congregation in any parish, mission or cure, then in each such congregation or at meetings to be specially called for the purpose by each Clergyman having a separate cure of souls; And all laymen within such parish, mission or

cure, or belonging to such congregation, of the full age of twenty-one years, who shall declare themselves,

Who may vote.

in writing, at such meetings to be members of the United Church of England and Ireland, and to belong to no other religious denomination, shall have the right of voting at such election. Each Delegate shall receive from the

Chairman of the meeting a certificate of his election, which he shall produce, when called upon so to do,

at the Synod; and the first meeting of such Synod shall be called by the Bishop of the Diocese at such time and place as he shall think fit; Provided always, that no business shall

be transacted by the Synod of any Diocese unless at least one-fourth of the Clergy of such Diocese shall be

present, and at least one-fourth of the Congregations within the same be represented by at least one Delegate.

Proceedings heretofore had in any Diocese under the aforesaid Act, which have been conformable to the provisions of this Act, shall be held to be valid, as if the same had taken place after the passing of this Act.

CONSTITUTION

OF THE

INCORPORATED CHURCH SOCIETY

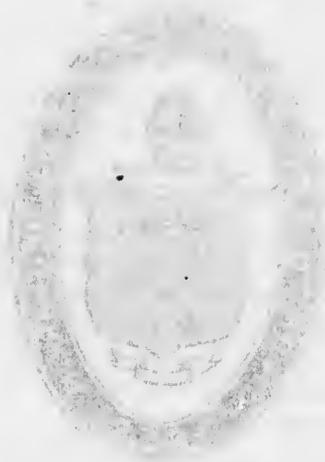
OF THE

DIOCESE OF HURON.



ADOPTED BY THE SOCIETY
AND CONFIRMED BY THE BISHOP, SEPTEMBER
22ND, 1858.

THE UNIVERSITY OF
THE STATE OF NEW YORK
IN SENATE
JANUARY 10 1880



UNIVERSITY OF THE STATE OF NEW YORK

CONSTITUTION

OF THE

INCORPORATED CHURCH SOCIETY OF THE DIOCESE OF HURON.

ADOPTED BY THE SOCIETY AND CONFIRMED BY THE BISHOP SEPTEMBER 22ND, 1858.

INCORPORATED FOR PROMOTING THE FOLLOWING
OBJECTS :

FIRST—For the encouragement and support of Missionaries and Clergymen of the United Church of England and Ireland within the Diocese of Huron, and for creating a fund towards the augmentation of the stipends of poor Clergymen, and towards making provision for those who may be incapacitated by age or infirmity, and for the Widows and Orphans of the Clergy of the said Church in the said Diocese.

SECONDLY—For the encouragement of Education, and for the Support of Day-schools and Sunday-schools in the said Diocese, in conformity with the principles of the said Church.

THIRDLY—For granting assistance, where it may be necessary, to those who may be preparing for the Ministry of the Gospel in the said Church, within the said Diocese.

FOURTHLY—For circulating in the said Diocese the Holy Scriptures, the Book of Common Prayer of the said Church, and such other Books and Tracts as shall be approved by the Central Board or Managing Committee of the said Association.

FIFTHLY—For obtaining and granting aid towards the erection, endowment, and maintenance of Churches, according to the establishment

of the said Church, in the said Diocese ; the erection and maintenance of Parsonage-houses ; the setting apart of Burial-grounds, and Churchyards ; the endowment and support of Parsonages and Rectories, according to the same establishment, and the management of all matters relating to such endowment.

I. That before the Society shall enter upon any business at any of its meetings, the following Prayers shall be said :—

“ PRESENT us, O Lord, in all our doings, with Thy most gracious favour, and further us with Thy continual help ; that in all our works, begun, continued, and ended in Thee, we may glorify Thy Holy Name, and finally by Thy mercy obtain everlasting life, through Jesus Christ our Lord. *Amen.*”

“ O GOD, from whom all holy desires, all good counsels, and all works of piety and charity do proceed, we beseech Thee to visit with Thy favour our Sovereign Queen VICTORIA, and so rule her heart, that she may in all things seek Thy honour and glory. Prosper with Thy blessing the designs of this Society. Comfort with Thy grace those benefactors who contribute to its support. Bless the ministry of Thy servants, the Clergy ; the endeavors of all who are engaged in spreading the knowledge of true religion in this Province, and the labours of those Missionaries who are promoting the same in foreign parts. And may Thy Holy Spirit direct all our consultations to the advancement of Thy glory, and the good of Thy Church, through Jesus Christ our Lord. *Amen.*”

“ O MERCIFUL GOD, who hast made all men, and hatest nothing that Thou hast made, nor

wouldst the death of a sinner, but rather that he should be converted and live : have mercy upon all Jews, Turks, infidels and heretics, and also upon all those heathen nations upon which the light of Thy glorious Gospel hath not yet shone ; especially the Indians of this continent. Bless the means used for their civilization and conversion, and take from them all ignorance, hardness of heart, and contempt of Thy Word : and so fetch them home, blessed Lord, to Thy flock, that they may be saved among the remnant of the true Israelites, and be made one fold under one Shepherd, Jesus Christ our Lord, who liveth and reigneth with Thee and the Holy Spirit, one God, world without end. *Amen.*

“OUR FATHER, which art in heaven, hallowed be Thy Name. Thy kingdom come. Thy will be done in earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation ; but deliver us from evil ; for thine is the kingdom, the power and the glory, for ever and ever. *Amen*

AND WHEN BUSINESS IS ENDED.

“ALMIGHTY GOD, Father of all mercies, we thine unworthy servants do give Thee most humble and hearty thanks for all Thy goodness and loving-kindness, to us and to all men : more particularly for the providential support by which this Society hath been enabled to spread abroad the knowledge of Thy sacred truth. But above all, for thy inestimable love in the redemption of the world by Thy blessed Son ; for the means of grace and for the hope of glory, which Thou hast given us, in the same our Lord and Saviour Jesus Christ : to whom with Thee and the Holy Ghost

be all honour and glory, world without end.
Amen.

“The grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Ghost, be with us all evermore. *Amen.*”

II. That the Society shall consist of the Lord Bishop of the Diocese, and of all clergymen and laymen who shall contribute to its funds.

III. That the Lord Bishop of the Diocese be President, and the Dignitaries within the Diocese be Vice-Presidents of the Society.

IV. That the Corporation shall consist of the Bishop of the Diocese, of the members appointed by the charter, and of so many of the other members as shall be elected by ballot members of the Corporation at the meetings to be from time to time holden, on the days and at the place appointed by the by-laws of the Corporation for its stated meetings.

V. That every incorporated member of the Society shall subscribe not less than five dollars annually, to the funds of the Society, or contribute not less than fifty dollars in one sum, or land to the value of one hundred dollars; and it shall be the duty of the Secretary, at the the meeting in the month of March in each and every year, to make a return of those who have not paid up the five dollars for the year ending the 31st day of December previous.

VI. That there shall be a Standing Committee (three of whom shall be a quorum) to prepare the business for the meetings of the Society.

That the President, Vice-Presidents, and Secretary be *ex-officio* members of the Standing Committee.

That the other members of the Standing Committee, not exceeding twenty in number, being ten

clergymen, and ten laymen, shall be elected by the Society, by ballot, out of its incorporated members, at the Annual Meeting in June.

VII. That the Society shall at their annual meeting in each year, choose one or more Vice-Presidents, in addition to the Dignataries; one, or more, Treasurers; two, or more, Auditors; one Secretary: and such other officers as shall be thought necessary, provided that none but members of the Society be eligible to any office.

VIII. That the paid officers of the Society shall be the Secretary, and an Assistant if required, and that the former shall furnish security to the satisfaction of the President and Standing Committee.

IX. That if any vacancy occur by the death, removal, or resignation of any officer, the President shall appoint a successor until the next meeting of the Society.

X. That the Society shall meet in London, on the second Thursday in the months of March, June, September and December, and the Annual Meeting shall be held during the week in which the Synod meets; and that the President or Standing Committee have power to call a special meeting of the Society at any time.

XI. That no act done in any meeting of the Society shall be valid and effectual, unless the President or some one of the Vice-Presidents shall be present at such meeting.

XII. That with regard to all meetings of the Society, and to the making, altering, or repealing any by-laws, rules or regulations, it is to be specially noticed that by the act of the Legislature, 7 Vic., ch. 68, it is enacted that no act of the Society, or meeting of the Corporation, shall be valid unless six persons of the Corporation, at the least, shall be present, and the major part of them

consenting thereto. And, further, that no constitution, by-law, rule, or regulation of the Society; nor any abrogation, repeal, change, or alteration of the same, shall be of any force or effect until it shall have been confirmed by the Bishop in writing, under his hand.

XIII. That minutes of all the proceedings of the Society be taken and that at each meeting of the Society the minutes of the preceding meeting be read by the Secretary, and signed by the Chairman.

XIV. That the accounts of the Society be closed on the 31st day of December in each year, and that the same be audited within one month from that date.

XV. That the Secretary conduct the correspondence of the Society, take minutes of proceedings of the general meetings and committees, prepare the annual report of the Society, attend meetings of the branches throughout the Diocese under the direction of the President, and take the superintendence of the affairs and the accounts of the Society in all its departments.

XVI. That in order more fully to promote the objects of the Society, each congregation, in the person of its clergyman and churchwardens, shall be a sub-association in correspondence, through its chairman, the clergyman, with the Parent Society, and may be denominated "*The Parochial Association of the Church Society.*" The committee, which shall consist of the above named, with power to add to their number, shall meet so often and at such periods as they themselves decide to be most convenient, inviting the co-operation of all the parishioners in their deliberations and designs. They shall collect subscriptions and donations from the members of the Church, in such

manner as they shall deem most effective, and endeavour, by every means in their power, to augment the resources of the Society. All monies raised to be transmitted to the Secretary of the Parent Society.

XVII. That four collections be made annually, the proceeds of one of which shall be devoted to the Widow and Orphan's Fund, and that of the other three to Missionary purposes; and at such other times and for such purposes as the Bishop may direct. The collections to be forwarded to the Secretary of the Society. It shall be the duty of every clergyman to give notice of these collections, and to call the attention of their congregations to the importance of the objects, and their claims for liberal support.

Sanctioned and confirmed by me this 22nd September, 1858.

BENJ. HURON.

OFFICERS OF THE CHURCH SOCIETY OF THE DIOCESE OF HURON.

PRESIDENT :

The Right Rev. the Lord Bishop of the Diocese.

VICE-PRESIDENTS :

The Dignataries within the Diocese.

STANDING COMMITTEE :

Rev. C. C. Brough, A.M.,	L. Lawrason, Esq.,
" R. Flood, A.M.,	R. C. Beecher, Esq.,
" St. George Caulfield, A.B.,	Hon. J. G. Goodhue,
" M. Boomer, A.B.,	C. Monsaratt, Esq.,
" J. Smyth,	J. Hamilton,
" J. Gunne,	J. Peters,
" H. Holland, M.A.,	Captain Cronyn,
" A. Townley,	Dr. Phillips,
" E. Patterson,	Dr. Going,
" E. Elwood, A.M.,	B. Bayley, Esq.

EPISCOPAL TRUST FUND COMMITTEE :

L. Lawrason, Esq.,	John Wilson; Esq.,	Absalom Shade, Esq.,
Lionel Ridout, "	J. W. Richie, "	P. J. Salter, Esq.,
	Townsend G. Vidal, Esq.	

SECRETARY :
Rev. J. Walker Marsh, M.A.

TREASURER :
C. Monsarrat, Esq.

AUDITORS :

The Society meets in London on the second Thursday in March, June, September, and December, at 7 o'clock, P.M.

The STANDING COMMITTEE meets on the same day at 3 o'clock, P.M.

**MEMBERS OF THE INCORPORATED CHURCH SOCIETY
OF THE DIOCESE OF HURON.**

Appointed by the Act of Incorporation.

Askin, J. B.	Gibson, Rev. J. C.	Patterson, Rev. E.
Bayley, Benjamin	Gunne, Rev. J.	Revell, Rev. H.
Beecher, C. R.	Huron, Lord Bishop of	Ralley, Rev. W. B.
Bettridge, Rev. W.	Horton, W.	Salmon, Rev. G.
Boomer, Rev. M.	Holland, Rev. H.	Shortt, T. S.
Brough, Rev. C. C.	Hale, W. D.	Salter, Rev. J. G. R.
Campbell, Rev. R. F.	Jessopp, Rev. H. B.	Salter, P. J.
Caulfield, Rev. St. G.	Jamieson, Rev. A.	Stimson, Rev. E. R.
Davison, J-	Johnson, Rev. C. C.	Sandys, Rev. F.
Deeds, E.	Kennedy, Rev. J.	Smyth, Rev. J.
Dewar, Rev. E. H.	Lawrason, L.	Shade, A.
DeBlaquier, H.	Lampman, Rev. A.	Talfourd, F.
Dewson, Dr.	Lemon, H.	Townley, Rev. A.
Elliott, Rev. A.	Mack, Rev. F.	Townley, Mrs.
Elwood, Rev. E.	Marsh, Rev. J. W.	Usher, Rev. J. C.
Elliott, Rev. F. G.	Monsarrat, C.	Vidal, Adml. A.
Farmer, A. H.	Mulholland, Rev. AHR	Vidal, T. G.
Flood, Rev. R.	Mortimer, Rev. A.	Vidal,
Fauquier, Rev. F. D.	Nelles, Rev. A.	Williams, Rev. A.
Fraser, Rev. D.	O'Neil, Rev. H. H.	Wilson J.
Geddes, J. C.	Padfield, Rev. J.	
Goodhue, Hon. J. G.	Price, S.	

Members admitted by Vote September 21, 1858.

Armstrong, A.	Herdsmen, R.	Price, R.
Bentley, R.	Hughes, Rev. J.	Ridout, Lionel
Bray, W.	Hurst, Rev. J.	Robson, G.
Catton, J.	Jones, J. H.	Roe, Peter
Clotworthy, Rev. W.	Keefer, J.	Ryland, G.
Cowen, J.	Kingston, C. J.	Shearson, A.
Cronyn, Capt.	Lee, Dr.	Smiley, R.
Crotty, H.	Lester, J. W.	Smith, R. F.
Cronyn, V.	McLean, Rev. J.	Stephenson, J.

Doxtater, W.
 Ellis, T.
 Farrell, S. W.
 Galbraith,
 Gilman, E.
 Going, Dr. H.
 Gordon, Rev. R.
 Grant, Rev. R.
 Harper, Dr. A.

Miller, J. B.
 Mockridge, Rev. J.
 Morley, Samuel
 Mulholland, Rev. J.G.
 Murphy, G.
 Pearce, J.
 Penton, A.
 Phillips, Dr.
 Pinckney, Rev. T. A.

Thwaite, J.
 Vansittart, H.
 Vicars, Rev. Johnston
 Wilson, Crowel
 Warwick, James
 Watson, W.
 Wood, Rev. W.

ACT INCORPORATING CHURCH SOCIETY OF
 HURON.

CAP. LXV.

An Act to incorporate the Church Society of the
 Diocese of Huron, and for other purposes
 therewith connected.

[Assented to 24th July, 1858.]

WHEREAS Her Majesty, by Her Royal Letters Patent, bearing date at Westminster, on the second day of October, in the twenty-first year of Her Majesty's Reign, was pleased to divide the Diocese of Toronto into two Dioceses, the one to be called the Diocese of Toronto, and the other the Diocese of Huron, in the manner and with the limits and boundaries in the said Letters Patent mentioned; and by reason of such division it hath become expedient to incorporate a Church Society, in the Diocese of Huron; And whereas a Society for the said Diocese of Huron hath been recently formed, and hath prayed that the members thereof and their successors may hereafter form a separate society, with the corporate name and rights, and subject to the provisions hereinafter mentioned: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. From and after the passing of this Act, there shall be and there is hereby constituted in

and for the Church of England Diocese of Huron as now constituted, a corporation by the corporate name of the *Church Society of the Diocese of Huron*, which shall have and is hereby invested with the like corporate rights, powers, and privileges, as by any Act or Acts of the Parliament of this Province, are conferred on any Church Society incorporated in any Diocese of the Church of England in this Province; and to the said corporation and to the members thereof, the several clauses and provisions of the said Acts shall apply as fully as they would have applied to any of the said Church Societies and to the members thereof, in so far as may not be inconsistent with this Act, and subject always to the provisions herein contained.

2. The Church Society of the Diocese of Huron hereby incorporated, shall be composed and consist of the Lord Bishop of the Diocese of Huron for the time being, and of those members of the Church Society of the Diocese of Toronto, who shall at the time of the passing of this Act, be resident within the Diocese of Huron, unless and until it shall be otherwise provided by the By-laws of the said Church Society of the Diocese of Huron, and of such other persons as shall, from time to time, hereafter be elected members of the said Church Society, in manner provided.

3. The Church Society of the Diocese of Huron shall and may receive and take from any of the said Church Societies, any of the property held by such last mentioned Societies, and discharge the trusts relating thereto, and such last mentioned Societies shall thereupon be discharged from such trusts.

4. Nothing herein contained shall be construed

to affect in any manner or way the rights of Her Majesty, Her Heirs, or Successors, or of any person or persons, or of any body politic or corporate, such only excepted as are herein mentioned and provided for.

5. This Act shall be deemed a Public Act.

ACT INCORPORATING CHURCH SOCIETIES OF
QUEBEC AND TORONTO.

WHEREAS it has been represented to the Legislature of this Province, that certain persons hereinafter named, and divers others, inhabitants of Lower Canada, and also certain other persons hereinafter named, and divers other inhabitants of Upper Canada, have respectively established themselves together under a Constitution, Rules, and Regulations, and have contributed, or engaged to contribute considerable sums of money, and have given or granted, or promised to give or grant, lands or real estate for the following objects, that is to say:—First, for the encouragement and support of Missionaries and Clergymen of the United Church of England and Ireland, severally within the Dioceses of Quebec and Toronto, and for creating a fund towards the augmentation of the Stipends of poor Clergymer, and towards making a provision for those who may be incapacitated by age or infirmity, and for the widows and orphans of the Clergy of the said Church, respectively in the said Dioceses. Secondly, for the encouragement of education and the support of Day Schools and Sunday Schools in the said Dioceses, respectively, in conformity with the principles of the said Church; Thirdly, for granting assistance, where it may be necessary, to those who may be preparing for the Ministry of

the Gospel in the said Church within the said Dioceses, respectively; Fourthly, for circulating in the said Dioceses respectively, the Holy Scriptures, the Book of Common Prayer of the said Church, and such other Books and Tracts as shall be approved by the several Central Boards or Managing Committees of the said Associations; Fifthly, for obtaining and granting aid towards the erection, endowment, and maintainance of Churches according to the establishment of the said Church in the said Dioceses, respectively, the creation and maintainance of Parsonage Houses, the setting apart of Burial-Grounds and Church-Yards, the endowment and support of Parsonages and Rectories according to the said establishment, and the management of all matters relating to such endowments: And whereas it would tend greatly to facilitate and promote the purposes of the said Associations that they should severally be incorporated and empowered to hold property in mortmain without letters of license, and to manage, administer, alienate, or dispose of the same, for the uses and purposes aforesaid, and to make and enforce rules and regulations, respectively, for the government of the said Associations, severally, and for better attaining the purposes aforesaid: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue and under authority of an Act passed in the Parliament of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Lord Bishop of the said Diocese of

Quebec, the Lord Bishop of Montreal, or the Bishop administering the said Diocese for the time being, and William Smith, Andrew W. Cochran, Henry Jessop, Henry J. Noad, John Racey, James H. Kerr, David Burnet, W. H. Leaycraft, John M. Fraser, the Rev. C. L. F. Haensel, George Hall, James Bolton, the Reverend George Mackie, the Reverend Edward Cusack, Robert Symes, the Reverend Edmund W. Sewell, Wm. Price, Noah Freer, Edward Bowen, John G. Irvine, Hammond Gowen, Sir James Stuart, Baronet, Matthew Bell, William Philips, Henry LeMesurier, Junior, Edward L. Montizambert, Thomas Trigge, Peter Paterson, George B. Hall, James Turnbull, William Stevenson, James B. Forsyth, Alexander D. Bell, James Dyke, William Bowes, R. M. Harrison, H. S. Dalkin, Edward Boxer, Archibald Campbell, Charles Secretan, James McKenzie, E. P. Woolrich, George H. Parke, Samuel McCaulay, James J. Loundes, G. Newton, Charles Secretan, Thomas Glover, Robert Daikers, H. W. Welch, and such other persons as are now members of the said Association of the Diocese of Quebec, according to the existing Constitution, Rules and Regulations thereof, and their successors, to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be members of the said Association in the manner hereinafter provided, shall be and are hereby declared to be a Body Corporate and Politic in name and in deed, by the name of "The Church Society of the Diocese of Quebec;" and that the Lord Bishop of Toronto, the Venerable George O'Kill Stuart, Robert Simpson Jameson, Levius Peter Sherwood, James B. Macaulay, Jonas Jones,

Christopher Alexander Hagerman, Peter Boyle DeBlaquiere, William Henry Draper, John Simcoe Macaulay, James Gordon, John Boulton, John Solomon Cartwright, D'Arcy Boulton, Mahlon Burwell, John B. Askin, Thomas Mercer Jones, Frederick Widder, William B. Jarvis, Henry Ruttan, Joseph Wells, Walter Boswell, Zacheus Burnham, T. A. Stewart, William Dickson, James Kerby, William Allan, George Crookshank, R. C. Wilkins, Philip Vankoughnet, Gerrard Lloyd, John Macaulay, Sir Allan Napier MacNab, Guy C. Wood, George Salmon, Henry Sherwood, and such other persons as are now members of the said Association of the Diocese of Toronto, according to the existing Constitution, Rules and Regulations thereof, and their successors, to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be members of the said Association in the manner hereinafter provided, shall be and are hereby declared to be a Body Corporate and Politic, in name and in deed, by the name of "The Church Society of the Diocese of Toronto," and that by the same names the said associations shall each have a perpetual succession and a Common Seal, with power to change, alter, break, or make new the same, as often as they shall judge expedient, and that they and their successors by the same names, respectively, may sue and be sued, implead and be impleaded, answer and be answered unto, in any Court of Record, or other place of Judicature within this Province; and that they, and their successors, by the names aforesaid, shall be able and capable in law respectively, to purchase, take, have, hold, receive, enjoy, possess and retain, without license in mortmain, or *Lettres d'Amortissement*, all messuages, lands,

tenements, and immovable property, money, goods, chattels, and movable property, which have been or hereafter shall be paid, given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever, to, for, and in favor of the said Church Societies, respectively, to and for the uses and purposes aforesaid, or any of them, and to do, perform, and execute all and every lawful act and thing useful and necessary for the purposes aforesaid, in as full and ample a manner, to all intents, constructions and purposes, as any other Body Politic or Corporate by law may or ought to do.

II. And be it enacted, that all lands, messuages, tenements, hereditaments, or immovable property, and all rents, sum and sums of money, charged upon and issuing or payable out of any lands, messuages, tenements, hereditaments, or immovable property, as aforesaid, and all sums of money, goods, chattels, effects, or movable property, which have been or shall hereafter be paid, given, granted, purchased, appropriated, devised, or bequeathed in any manner or way whatsoever, to, for, or in favour of the said Corporations, respectively, to and for the uses and purposes aforesaid, shall be, and the same are hereby vested in the said Corporations, respectively, to and for the uses and purposes aforesaid in such manner and form, and subject to such by-laws, rules, and regulations, as may be made and passed by the said Corporations, respectively, concerning the same, in the manner hereinafter provided: And that the said Corporations, or the Central Boards thereof, or such other Executive and Managing Committees thereof as shall from time to time be appointed and authorized for this purpose by the by-laws, rules and regulations, which may

be made and passed in the manner hereinafter mentioned, for the government of the said Corporations, shall, respectively have power and authority to alienate or exchange, and to demise, let and lease for any terms of years, such messuages, lands, tenements, hereditaments, and immovable property, as shall be so as aforesaid given, granted, purchased, appropriated, devised, or bequeathed to the said Corporations, respectively, for all or any of the purposes aforesaid, and to have, receive and take the purchase money, consideration, or price, rents, issues, or profits thereof: Provided always, that the said Corporations, or Central Boards thereof, or such other Executive or Managing Committees, as aforesaid, shall, respectively, have, receive, take, and hold, such purchase money, consideration or price, rents, issues or profits, for the uses and purposes hereinbefore mentioned and set forth, or some or one of them, and for none other.

III. And be it enacted, that the said Corporations, and their successors, shall and may, respectively, from time to time, hold assemblies and meetings of the said Corporations, which shall be called together in such manner and at such times and places as shall be directed and appointed by the by-laws, rules and regulations, of the same, to transact the business of the said Corporations, and shall and may at any such meeting elect such persons to be members of the said Corporations, respectively, as they or the major part of them then present shall think fit: Provided always, that no act done in any such assembly or meeting of the said Corporations shall be valid or effectual, unless six persons of such Corporations, at the least, shall be present, and the major part of them consenting thereto.

IV. And be it enacted, that the said Corporations, or the major part of those who shall be present at any of the meetings of the said Corporations to be held in manner aforesaid, shall and may, respectively, make and ordain any constitution, by-laws, rules and regulations, whatsoever, which to them or the major part of them then present, not being fewer in number than six, as aforesaid, shall seem meet, reasonable or requisite, touching and concerning the well ordering and governing of the affairs and business of the said Corporations, and the due administering and improving the property thereof, and the more effectually promoting the purposes thereof, as aforesaid, and such constitution, by-laws, rules and regulations, in like manner from time to time to abrogate, repeal, change or alter, as may be found expedient, which constitution, by-laws, rules and regulations, shall be binding upon and shall be observed, performed and kept by the members of the said Corporations, respectively: Provided always, that the same shall not be repugnant or contrary to the aforesaid purposes of such Corporations, or to the laws in force in this Province.

V. Provided always, nevertheless, and be it enacted. that no such constitution, by-law, rule or regulation, of either of the said Church Societies of the Dioceses of Quebec add Toronto, nor any abrogation, repeal, change or alteration of the same, shall be of any force or effect until it shall have been sanctioned and confirmed by the Bishop of or administering such Diocese for the time being, by writing under his hand.

VI. And be it enacted, that nothing herein contained shall affect or be construed to affect in any manner or way the rights of Her Majesty, Her Heirs or Successors, or of any person or persons,

or of any Body Politic or Corporate, such only excepted as are hereinbefore mentioned and provided for.

VII. And be it enacted, that this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace, and other persons whatsoever, without being specially pleaded.

CHURCH TEMPORALITIES ACT.

ANNO QUARTO ET QUINTO VICTORIÆ REGINÆ.

An Act to make provision for the management of the Temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned.

[*Royal Assent promulgated 3rd Dec. 1841*]

Whereas it is desired on behalf of the United Church of England and Ireland, in the Province of Upper Canada, that provision should be made by law for the internal management, by the members of the said Church, of the Temporalities thereof, and also for allowing the endowment thereof; and it is just and expedient that such provision should be made: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act, the soil and freehold of all Churches of the Communion of the said United Church of England and Ireland, now erected or hereafter to be erected in the said Province, and

of the Church-yards and Burying-grounds attached or belonging thereto, respectively, shall be in the Parson or other Incumbent thereof, for the time being, and that the possession thereof shall be in the Incumbent for the time being, and the Church-wardens to be appointed as hereinafter is mentioned, by whatever title the same may be now held, whether vested in Trustees for the use of the Church, or whether the legal estate remains in the Crown, by reason of no patent having been issued, though set apart for the purpose of such Church, Churchyard or Burying-ground: Provided always, that nothing herein contained shall extend to affect the rights of any other Church, or body of Christians, to any Landed Property, or Church now erected, but that the same shall remain as if this Act had not been passed.

II. And be it further enacted by the authority aforesaid, that all Pewholders in such Churches, whether holding the same by purchase or lease, and all persons holding sittings therein, by the same being let to them by Churchwardens, and holding a certificate from the Churchwardens of such sittings, shall form a vestry for the purposes in this Act mentioned and declared.

III. And be it further enacted by the authority aforesaid, that a meeting of such vestry shall be holden on Monday in Easter week, in each and every year, after due notice thereof given during the Divine service on the morning of Easter Sunday, for the purpose of appointing churchwardens for the ensuing year; and that at such meeting one churchwarden shall be nominated by the Incumbent of the Parsonage or Rectory to which the said Church belongs, and the other shall be elected by a majority of those present,

and entitled to vote at such vestry meeting as aforesaid : Provided, nevertheless, that in case of such Incumbent declining or neglecting to nominate a churchwarden, then both of the said churchwardens shall, for the current year, be elected in the manner aforesaid, and in case the members of such Vestry shall neglect to elect a Churchwarden, then both such Churchwardens shall, for the current year, be nominated by the Incumbent : Provided always, that it from any cause a vestry meeting shall not take place at the time aforesaid, such appointment of Churchwardens may take place at any subsequent Vestry Meeting to be called in manner hereinafter provided ; and in case of the death or change of residence to twenty miles or more from any such Church, of either of the said Churchwardens, a Vestry Meeting shall be thereupon called, for the election, by the said Vestry, of a new Churchwarden, in case the one deceased or removed had been elected by the Vestry, or for the nomination of a new Churchwarden by the Incumbent, in case the one deceased or removed had been nominated by the Incumbent.

IV. And be it further enacted by the authority aforesaid, That no person shall be eligible to the office of Churchwarden, except members of the said Church of the full age of twenty-one years, and who shall also be Members of such a Vestry.

V. And be it further enacted by the authority aforesaid, That such Churchwardens shall hold their office for one year from the time of their appointment, or until the election of their successors, except in case of an appointment or nomination to fill up any vacancy occasioned by death or removal as aforesaid, and in such case the person so appointed or nominated shall hold the said

office until the next annual election.

VI. And be it further enacted by the authority aforesaid, That such Churchwardens so to be elected and appointed as aforesaid, shall, during their term of office, be as a Corporation to represent the interest of such Church, and of the members thereof, and shall and may sue and be sued, answer and be answered unto, in all manner of suits and actions whatsoever, and may prosecute, indictments, presentments and other criminal proceedings, for and in respect of such Churches and Churchyards, and all matters and things appertaining thereto, and shall and may in conjunction with the Rector or Incumbent, make and execute faculties, or conveyances, or other proper assurances in the Law, to all Pewholders holding their Pews by purchase, or leases to those holding the same by lease, and shall and may grant certificates to those who shall have rented sittings; such Conveyances, Leases and Certificates, to be given within a reasonable time after demand made, and at the charge of the person applying for the same; and further, it shall be the duty of such Churchwardens from time to time to sell, lease and rent, Pews and Sittings, upon such terms as may be settled and appointed at Vestry meetings to be holden for that purpose as hereinafter provided: Provided always, that any such sale, lease or renting, shall be subject to such rent-charge or other rent as may, from time to time, be rated and assessed in respect thereof, at such Vestry meetings.

VII. And be it further enacted by the authority aforesaid, That in case of the absolute purchase of any Pew in any such Church as aforesaid, the same shall be construed as a Freehold of Inheritance not subject to forfeiture by change of resi-

dence or by discontinuing to frequent the same, and the same may be bargained, sold and assigned to any purchaser thereof, being a member of the Church of England; and such purchaser, provided the same be duly assigned and conveyed to him, shall hold the same with the same rights, and subject to the same duties and charges, as the original purchaser thereof.

VIII. And be it enacted by the authority aforesaid, That any Pewholder, whether by purchase or lease, and any person renting a Pew or Sitting, shall and may during their rightful possession of such Pew or Sitting, have a right of action against any person injuring the same, or disturbing him or his family in the possession thereof.

IX. And be it further enacted by the authority aforesaid, That such Churchwardens so to be appointed as aforesaid, shall yearly and every year, within fourteen days after other Churchwardens shall be nominated and appointed to succeed them, deliver in to such succeeding Churchwardens a just, true, and perfect account in writing (fairly entered in a book or books to be kept for that purpose, and signed by the said Churchwardens,) of all sums of money by them received, and of all sums rated or assessed, or otherwise due and not received, and also of all goods, chattels, and other property of such Church or Parish in their hands as such Churchwardens, and of all monies paid by such Churchwardens so accounting, and of all other things concerning their said office, and shall also pay and deliver over all sums of money, goods, chattels, and other things, which shall be in their hands, unto such succeeding Churchwardens; which said account shall be verified by oath before one or more of Her Majesty's Justices of the

Peace, who are hereby authorized to administer the same; and the said book or books shall be carefully preserved by such Churchwardens, and they shall and are hereby required to permit any member of such Vestry as aforesaid, to inspect the same at all reasonable times, paying one shilling for such inspection, and in case such Churchwardens shall make default in yielding such account as aforesaid, or in delivering over such money, goods, or other things as aforesaid, it shall be in the power of the succeeding Churchwardens to proceed against them at Law for such default, or to file a bill in equity for discovery and relief; and in case of the re-appointment of the same Churchwardens, then such account as aforesaid, shall in like manner as is aforesaid, be made and rendered before an adjourned meeting of such Vestry, fourteen days after such re-appointment.

X. And be it further enacted by the authority aforesaid, That it shall be in the power of the Incumbent of any such Parsonage, Rectory, or Parish as aforesaid, or of the Churchwardens thereof, to call a Vestry Meeting whenever he or they shall think proper so to do, and it shall be his and their duty so to do, upon application being made for that purpose in writing by six at least of the members of such Vestry as aforesaid; and in case upon such written application being made as aforesaid, such Incumbent and Churchwardens shall refuse to call such meeting, then one week after such demand made, it shall be in the power of any six of such member of the vestry to call the same by notice to be affixed on the outer Church door (or Church doors where more than one), at least one week previous to such intended meeting.

XI. And be it further enacted by the authority aforesaid, That in all Vestry Meetings, the Rec-

tor or Incumbent of the Church shall preside as Chairman when present, and in his absence, such person as the majority present at such meeting shall name; and the Vestry Clerk, when there is one, and present, or in case there be no Vestry Clerk or he be absent, then such person as the Chairman shall name, shall be Secretary of such Vestry Meeting, and the proceedings of such Vestry Meeting shall be entered in a book to be kept for that purpose, and preserved in the custody of the Churchwardens.

XII. And be it further enacted by the authority aforesaid, That the rent-charge to be paid upon Pews holden in freehold, and the rent to be paid for Pews and Sittings in Pews leased or rented, shall be regulated from time at such Vestry Meetings as aforesaid: Provided, nevertheless, that no alterations shall be made therein, except at Vestry Meetings called for such special purpose, and so expressed in the notice calling the same; and further, that the charges to be made in respect of such conveyances, leases, and certificates, shall in like manner be regulated at such Vestry Meetings as aforesaid.

XIII. And be it further enacted be the authority aforesaid, That the Clerk of the Church, the Organist, the Vestry Clerk, the Sexton, and other subordinate servants of the Church, shall be nominated and appointed by the Churchwardens for the time being, and that their salary and wages shall be brought into the general account, to be rendered as aforesaid by such Churchwardens.

XIV. And be it further enacted by the authority aforesaid, that the fees on Marriages, Baptisms, and other services of the Church of the like nature, and the charges payable on breaking the

ground in the Cemeteries or Church Yards, and in the said Churches for burying the dead, shall be regulated by the Ordinary, or in case of there being no Ordinary, by the Bishop of the Diocese.

XV. And be it further enacted by the authority aforesaid, That it shall be in the power of the Members of such Vestries, at such Vestry Meetings as aforesaid, to make By-Laws for the regulation of their proceedings, and the management of the Temporalities of the Church or Parish to which they belong, so as the same may not be repugnant to this Act, nor contrary to the Canons of the said United Church of England and Ireland.

XVI. And be it further enacted by the authority aforesaid, That any deed or conveyance of land, or of personality, that may be made to any Bishop of the said Church, in the said Province, and to his Successors, for the endowment of his See, or for the general uses of the said Church, as such Bishop may appoint, or otherwise, or for the use of any particular Church then erected, or thereafter to be erected, or for the endowment of a Parsonage, Rectory or Living, or for other uses or purposes appurtenant to such Church in general, or to any particular Church or Parish, to be named in such deed, and any such deed or conveyance, to any Parson, or Rector, or other Incumbent, and his Successors, for the endowment of such Parsonage, Rectory, or Living, or for other uses or purposes appurtenant thereto shall be valid and effectual to the uses and purposes in such deed or conveyance to be mentioned and set forth, the Acts of Parliament, commonly called the Statutes of Mortmain, or other Acts, Laws, or usages, to the contrary thereof notwithstanding; Provided always, that in order to the validity of such deeds

and conveyances, the same shall be made and executed six months at least before the death of the person conveying the same, and shall be registered not later than six months after his decease.

XVII. And be it further enacted by the authority aforesaid, That in the event of any person or persons, bodies politic or corporate, desiring to erect and found a Church or Churches, and to endow the same with a sufficiency for the maintenance of such Church and of Divine Service therein, according to the rites of the said Church of England and Ireland, it shall and may be lawful for him, or them, to do so, upon procuring the License of the Bishop, under his hand and seal, for that purpose: and thereupon, after the erection of a suitable Church, and the appropriation by the founder thereof, of such Church so erected, and of lands and hereditaments, or other property, adequate to the maintenance thereof, and of an Incumbent, and adequate to the usual and ordinary charges attendant upon such Church, such provision being made to the satisfaction of the Bishop, such Founder, his Heir and Assigns, being members of the said Church of England, or such body politic or corporate, as the case may be, shall have the right of presentative to such Church, as an advowson in fee presentation, according to the Rules and Canons of the said United Church of England and Ireland.

XVIII. And be it further enacted by the authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend in any manner, to confer any Spiritual Jurisdiction or Ecclesiastical Rights whatsoever upon any Bishop or Bishops, or other Ecclesiastical Person, or of the said Church, in the said Province of Upper Canada.

AN ACT

To authorize the Sale or Lease of Lands in Upper Canada, held in Trust for the use of Congregations or Religious Bodies.

[Assented to 19th May, 1855.]

WHEREAS Grants of Land have frequently been made by the Crown to Trustees, and Lands have in many instances been acquired by purchase and by Donations from individuals for the use of various Congregations and Religious Bodies in Upper Canada, and such Congregations and Religious Bodies are unable to manage such Lands advantageously from the want of power to bind the Successors of any Trustees entering into agreements for leasing or otherwise disposing of such portions thereof as may not be immediately required for the use of the respective Congregations or Religious Bodies, and it is expedient to grant such power and authority : Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same :

I. That the Grantees named in any Letters Patent from the Crown or the Survivors or Survivor of them, or the Trustees for the time being appointed in manner prescribed in such Letters Patent, and the Trustees entitled by Law to

hold any Lands in Trust for the use of any Congregation or Religious Body for the time being, shall from and after the passing of this Act, have full power and authority to demise or lease, for any term not exceeding Twenty-one years, any Lands held by them in Trust for the use and benefit of their respective Congregations or Religious Bodies or Societies, at such Rent and upon such terms as they or a majority of them shall deem reasonable and just, and that such Trustees shall have authority to execute such Leases as may be necessary for periods not exceeding Twenty-one years, and to enter into any Covenant or agreement therein, which sha'l bind their Successors for the renewal of any such Lease or Leases at the expiration of any or every term of Twenty-one years for a further period or term of Twenty-one years or lesser period, at such Rent and on such terms as may then by the Trustees for the time being be agreed upon with the Lessee, his Heirs or Assigns, or for the payment to the Lessee, his Heirs or Assigns, of the value of any Buildings or other Improvements which may at the expiration of any Term be on the demised premises, and that the mode of ascertaining the amount of such Rent or the value of such improvements may be stipulated and agreed upon and specified in such original Lease or Leases, and such stipulation or agreement shall be binding on the Trustees for the time being and may be enforced by any Court of Law or Equity having Jurisdiction in such cases.

II. Provided always that in any case in which a majority of any such Grantees, or of the Survivors, or the Survivor, of them, or a majority of any such Trustees for the time being as aforesaid, may before the passing of this Act, have entered

into an agreement or contract in writing, with any person for the leasing of any portion of such lands for any term of years, it shall and may be lawful for such Grantees or the Survivors or Survivor of them, or the majority of such Trustees for the time being, to execute a Lease or Leases of the land, for the unexpired portion of the term, and with the conditions and stipulations mentioned in such agreement or contract, although such term or the unexpired portion thereof exceed twenty-one years ; and the execution of such a lease may be enforced by the party having a right to claim the same, his heirs or assigns.

III. And be it further enacted, that the Trustees for the time being entitled by Law to hold Lands in trust for any Congregation or Religious Body shall have power in their own names or by any name or designation by which they may hold such Lands, to sue or to distrain for any Rent in arrear, and to take all such lawful ways and means for the recovery thereof as Landlords in other cases are now by law entitled to take to enforce the payment of Rents.

IV. And be it further enacted, that nothing hereina contained shall be taken to confer on Trustees any power to Lease or demise any Lands without the consent of the Congregation or Religious Body for whose use they hold the same in trust, signified by the votes of a majority of the Members present at a meeting thereof duly called for that purpose, nor any Lands which at the time of making such lease may be necessary for the use of the Congregation for which the same may be held for the purpose of erecting a Church or place of Worship or other Building thereon, or for a Burial Ground for such Congregation.

V. And be it further enacted, that when any

piece or parcel of Land held by Trustees for the use of any Congregation or Religious Body shall have become unnecessary to be retained for such use by reason of other ground having been obtained or from any other cause, and it shall be deemed advantageous to sell such piece or parcel of Land, it shall and may be lawful for the Trustees, for the time being, to give Public Notice of an intended Sale, specifying the premises to be sold, and the time and terms of Sale, and after publication of such notice in any weekly Paper published in or near the place where the Lands are situated, for four successive weeks, to proceed to sell such Lands at public Auction according to the terms of such notice, but the Trustees shall not be obliged to complete or carry into effect such Sale, if in their judgment an adequate price shall not have been offered for such Lands; and that after such offer at Public Sale, the Trustees may proceed to sell such Lands either by public or private sale: Provided always, that a less sum shall not be accepted at Private Sale than may have been previously offered at Public Sale: Provided also, that before any Deed shall be executed in pursuance of any Public or Private Sale, the Congregation or Religious Body for whose use the Lands have been held shall be duly notified thereof, and the sanction of the Court of Chancery shall be obtained for the execution of such Deed.

VI. And be it further enacted, that it shall be the duty of Trustees acting under the authority of this Act on the first Monday in July in each year, to have prepared and open for the inspection of the Congregation or Religious Body which they represent, or any Member thereof, a full and detailed statement of all Rents which may

have accrued during the preceding year, and all sums of money whatever in their hands for the use and benefit of such Congregation or Religious Body, which may have in any manner been derived from the Lands under their control or subject to their management, and also shewing the application of any portion of such moneys, in case any shall have been expended in behalf of their respective Congregations or Religious Bodies.

VII. And be it further enacted, that the Court of Chancery may in a summary manner, on complaint on oath of any three Members of a Congregation or Religious Body, of any misfeasance or misconduct by or on the part of any Trustees in the performance of duties authorized by this Act, call upon such Trustees to give in an account, and may enforce the rendering of such account, the discharge of any duties, and the payment of any moneys, so that such Congregation or Religious Body may have the benefit thereof; and the said Court may compel such Trustees, in case of any misconduct, to pay the expense of such application, or may award costs to such Trustees in case such application shall be made on grounds which the Court shall consider insufficient or frivolous or vexatious.

